

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

FEDERAL DEPOSIT INSURANCE  
CORPORATION, AS RECEIVER FOR  
BROADWAY BANK,

Plaintiff,

v.

DEMETRIS GIANNOULIAS, GEORGE  
GIANNOULIAS, JAMES MCMAHON,  
SEAN CONLON, STEVEN DRY, DONNA  
ZAGORSKI, STEVEN BALOURDOS,  
GLORIA SGUROS, ANTHONY D'COSTA,

Defendants.

No. 12-cv-1665

JURY DEMANDED

Judge John F. Grady

**JOINT AGREED MOTION FOR ENTRY OF ORDER SETTING BRIEFING  
SCHEDULE ON DEFENDANTS' MOTION TO DISMISS AND RESCHEDULING  
STATUS HEARING SET FOR JUNE 6, 2012**

Defendants Demetris Giannoulis, George Giannoulis, Sean Conlon, Steven Dry, Donna Zagorski, Steven Balourdous, Anthony D'Costa, and James McMahon (collectively, the "Defendants") and Plaintiff Federal Deposit Insurance Corporation ("FDIC") (collectively, the "Parties"), by their respective counsel, move for entry of an order setting a briefing schedule for Defendants' forthcoming Motions to Dismiss the FDIC's Amended Complaint and rescheduling the Status Hearing set for June 6, 2012. In support of their Motion, the Parties respectfully state as follows:

1. The FDIC's Complaint (the "Complaint") was filed on March 7, 2012.
2. Per this Court's Order of April 18, 2012, Defendants' responsive pleadings were due on May 25, 2012.
3. On May 23, 2012, the FDIC filed its Amended Complaint.

4. Defendants have advised the FDIC that they intend to move for dismissal of the Amended Complaint.

5. The Parties have agreed to the following briefing schedule relating to Defendants' Motions to Dismiss:

- (a) Defendants' Motions to Dismiss are due by June 20, 2012;
- (b) The FDIC's Response to Defendants' Motions to Dismiss are due by July 11, 2012; and
- (c) Defendants' Replies in Support of their Motions to Dismiss are due by July 27, 2012.

6. Additionally, the Parties have agreed—consistent with this Court's prior order of May 7, 2012—that the Memorandum in Support of the Motion to Dismiss to be submitted on behalf of Defendants Demetris Giannoulis, George Giannoulis, Sean Conlon, Steven Dry, Donna Zagorski, Steven Balourdos, and Anthony D'Costa, may exceed fifteen (15) pages but shall not be greater than twenty-five (25) pages.

7. The Parties also respectfully request that the status hearing scheduled for June 6, 2012 be rescheduled to a day during the week of June 18 or such other date thereafter convenient to the Court as counsel for Defendants Demetris Giannoulis, George Giannoulis, Sean Conlon, Steven Dry, Donna Zagorski, Steven Balourdos, and Anthony D'Costa are on trial during the weeks of June 4 and June 11.

8. Defendants' counsel contacted Allen H. Shapiro, counsel for Defendant Gloria Sgueros, who agrees to the briefing schedule set forth above as well as the relief being sought by this Joint Agreed Motion.

WHEREFORE, the Parties respectfully request that this Court enter an Order: (1) adopting the briefing schedule, agreed upon by the Parties, as set forth herein; (2) reschedule the status hearing set for June 6, 2012; and (3) granting such other relief as this Court deems appropriate.

Dated: June 1, 2012

Respectfully submitted,

DEMETRIS GIANNOULIAS, GEORGE  
GIANNOULIAS, SEAN CONLON, STEVEN  
DRY, DONNA ZAGORSKI, STEVEN  
BALOURDOS and ANTHONY D'COSTA

By: /s/ Rachel T. Copenhaver

Randall M. Lending  
Rachel T. Copenhaver  
Vedder Price P.C.  
222 North LaSalle Street  
Suite 2600  
Chicago, Illinois 60601-1003  
T: (312) 609-7500  
F: (312) 609-5005  
[rlending@vedderprice.com](mailto:rlending@vedderprice.com)  
[rcopenhaver@vedderprice.com](mailto:rcopenhaver@vedderprice.com)

JAMES MCMAHON

By: /s/ Nancy A. Temple

John M. George, Jr.  
Nancy A. Temple  
KATTEN & TEMPLE, LLP  
542 S. Dearborn St., Suite 1060  
Chicago, Illinois 60605  
T: (312) 663-0800  
F: (312) 663-0900  
[jgeorge@kattentemple.com](mailto:jgeorge@kattentemple.com)  
[ntemple@kattentemple.com](mailto:ntemple@kattentemple.com)

FEDERAL DEPOSIT INSURANCE  
CORPORATION, as Receiver for Broadway Bank,

By: /s/ Susan G. Feibus

F. Thomas Hecht  
Susan G. Feibus  
Dean Polales  
Richard Tilghman  
UNGARETTI & HARRIS LLP  
3500 Three First National Plaza  
Chicago, Illinois 60602  
T (312) 977-4400  
F: (312) 977-4405  
[fthecht@uhlaw.com](mailto:fthecht@uhlaw.com)  
[sgfeibus@uhlaw.com](mailto:sgfeibus@uhlaw.com)  
[djpolales@uhlaw.com](mailto:djpolales@uhlaw.com)  
[rhtilghman@uhlaw.com](mailto:rhtilghman@uhlaw.com)